

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address Leonard M. Shulman – Bar No. 126349 Melissa Davis Lowe - Bar No. 245521 Lauren Raya - Bar No. 322697 SHULMAN HODGES & BASTIAN LLP 100 Spectrum Center Drive, Suite 600 Irvine, California 92618 Telephone: (949) 340-3400 Facsimile: (949) 340-3000 Email: LShulman@shbllp.com; MLowe@shbllp.com; LRaya@shbllp.com <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Howard B. Grobstein, Chapter 7 Trustee	FOR COURT USE ONLY
UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - RIVERSIDE DIVISION	
In re: JENNIFER JOHNSON, Debtor(s).	CASE NO.: 6:18-BK-20224-MW CHAPTER: 7 NOTICE OF SALE OF ESTATE PROPERTY

Sale Date: 08/06/2019	Time: 2:00 pm
Location: US Bankruptcy Court, 3420 Twelfth Street, Ctrm: 225, Riverside, CA 92501	

Type of Sale: ☒ Public ☐ Private **Last date to file objections:** 07/23/2019

Description of property to be sold:
74276 East Mercury Circle in Palm Desert, California, APN: 624-090-070 ("Property")

Terms and conditions of sale:
Free and clear of all liens. Property sold as is - where is.

Proposed sale price: \$ 180,000.00

Overbid procedure (if any): See attached

If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:

Hearing shall be held on, August 6, 2019, at 2:00 p.m. in courtroom 225 located at the United States Bankruptcy Court, located at 3420 Twelfth Street, Riverside, CA 92501

Contact person for potential bidders (include name, address, telephone, fax and/or email address):

Overbids must be in writing and be received by the Trustee and the Trustee's counsel, Shulman Hodges & Bastian LLP to the attention of Melissa Davis Lowe on or before three (3) business days prior to the hearing on this Motion.

Trustee
Grobstein Teeple, LLP
Attn: Howard Grobstein
11801 Pierce Street, 2nd Floor
Riverside, CA 92505
Tel: (951) 234-0951

Trustee's Counsel
Shulman Hodges & Bastian LLP
Attn: Melissa Davis Lowe, Esq.
100 Spectrum Center Drive, Suite 600
Irvine, CA 92618
Tel: (949) 340-3400
Fax: (949) 340-3000
Email: Mlowe@shbllp.com

Date: 06/27/2019

Overbid procedures:

The Trustee has determined that it would benefit the Estate to permit all interested parties to receive information and bid for the Property instead of selling the Property to the Buyer on an exclusive basis. Accordingly, in order to obtain the highest and best offer for the benefit of the creditors of this Estate, the Trustee also seeks Court approval of the following bidding procedures ("Bidding Procedures"):

1. Potential overbidder(s) must bid an initial amount of at least \$2,000.00 over the Purchase Price, or \$182,000.00. Minimum bid increments thereafter shall be \$1,000.00. The Trustee shall have sole discretion in determining which overbid is the best for the Estate and will seek approval from the Court of the same.
2. Overbids must be in writing and be received by the Trustee and the Trustee's counsel, Shulman Hodges & Bastian LLP to the attention of Melissa Davis Lowe on or before **three (3) business days prior to the hearing on this Motion.**
3. Overbids must be accompanied by certified funds in an amount equal to five percent (5%) of the overbid purchase price.
4. The overbidder must also provide evidence of having sufficient specifically committed funds to complete the transaction, or a lending commitment for the bid amount and such other documentation relevant to the bidder's ability to close the sale and immediately and unconditionally pay the winning bid purchase price at closing.
5. The overbidder must seek to acquire the Property on terms and conditions not less favorable to the Estate than the terms and conditions to which the Buyer has agreed to purchase the Property as set forth in the Agreement including closing on the sale of the Property in the same time parameters as the Buyer.
6. All competing bids must acknowledge that the Property is being sold on an "AS IS" basis without warranties of any kind, expressed or implied, being given by the Trustee, concerning the condition of the Property or the quality of the title thereto, or any other matters relating to the Property. The competing bid buyer must represent and warrant that he/she is purchasing the Property as a result of their own investigations and are not buying the Property pursuant to any representation made by any broker, agent, accountant, attorney or employee acting at the direction, or on the behalf of the Trustee. The competing bidder must acknowledge that he/she has inspected the Property, and upon closing of Escrow governed by the Agreement, the competing buyer forever waives, for himself/herself, their heirs, successors and assigns, all claims against the Debtor, her attorneys, agents and employees, the Debtor's Estate, Howard B. Grobstein as Trustee and individually, and her attorneys, agents and employees, arising or which might otherwise arise in the future concerning the Property.
7. If overbids are received, the final bidding round for the Property shall be held at the hearing on the Motion in order to allow all potential bidders the opportunity to overbid and purchase the Property. At the final bidding round, the Trustee or his counsel will, in the exercise of their business judgment and subject to Court approval, accept the bidder who has made the highest and best offer to purchase the Property, consistent with the Bidding Procedures ("Successful Bidder").
8. At the hearing on the Motion, the Trustee will seek entry of an order, *inter alia*, authorizing and approving the sale of the Property to the Successful Bidder. The hearing on the Motion may be adjourned or rescheduled without notice other than by an announcement of the adjourned date at the hearing on the Motion.
9. In the event the Successful Bidder fails to close on the sale of the Property within the time parameters approved by the Court, the Trustee shall retain the Successful Bidder's Deposit

and will be released from her obligation to sell the Property to the Successful Bidder and the Trustee may then sell the Property to the first back-up bidder approved by the Court at the hearing on the Motion ("First Back-Up Bidder").

10. In the event First Back-Up Bidder fails to close on the sale of the Property within the time parameters approved by the Court, the Trustee shall retain the First Back-Up Bidder's Deposit and will be released from her obligation to sell the Property to the First Back-Up Bidder and the Trustee may then sell the Property to the second back-up bidder approved by the Court at the hearing on the Motion ("Second Back-Up Bidder").

The Bid Procedures will be provided to all creditors and any potential bidders or parties who have shown an interest in the Property. In addition, the Court's mandatory form Notice of Sale of Estate Property will be filed with the Court so that notice of the sale of the Property may be posted on the Court's website under the link "Current Notice of Sales," thereby giving notice to any potential interested parties.

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
100 Spectrum Center Drive, Suite 600, Irvine, CA 92618

A true and correct copy of the foregoing document entitled (*specify*): **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) June 27, 2019, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Howard B Grobstein (TR)** hbgtrustee@gtfas.com, C135@ecfcbis.com
- **Wendy A Locke** ecfcacb@aldridgepate.com, wlocke@ecf.inforuptcy.com
- **Melissa Davis Lowe** mlowe@shbllp.com, sswartzell@shbllp.com
- **Leonard M Shulman** lshulman@shbllp.com
- **United States Trustee (RS)** ustpregion16.rs.ecf@usdoj.gov
- **Susan Jill Wolf** susanwolflaw@prodigy.net

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) June 27, 2019, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Courtesy Copy: US Bankruptcy Court, Attn: Mark S. Wallace, 411 W. Fourth Street, Suite 6135, Santa Ana, CA 92701

☒ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) _____, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

June 27, 2019
Date

Steven P. Swartzell
Printed Name

/s/ Steven P. Swartzell
Signature

2. SERVED BY UNITED STATES MAIL:

DEBTOR

JENNIFER JOHNSON
73600 SAN GORGINO WAY #11
PALM DESERT, CA 92260-3584

NEF - ATTORNEY FOR DEBTOR

SUSAN JILL WOLF
7029 OWENSMOUTH AVE
CANOGA PARK, CA 91303-2006

NEF - INTERESTED PARTY

UNITED STATES TRUSTEE (RS)
3801 UNIVERSITY AVENUE, SUITE 720
RIVERSIDE, CA 92501-3255

NEF - CHAPTER 7 TRUSTEE

HOWARD B GROBSTEN (TR)
GROBSTEN TEEPLE, LLP
11801 PIERCE STREET, SUITE 200
RIVERSIDE, CA 92505-4400

CREDITOR LISTING

EMPLOYMENT DEVELOPMENT DEPT.
BANKRUPTCY GROUP MIC 92E
P.O. BOX 826880
SACRAMENTO, CA 94280-0001

CREDITOR LISTING

FRANCHISE TAX BOARD
BANKRUPTCY SECTION MS: A-340
P.O. BOX 2952
SACRAMENTO, CA 95812-2952

PREFERRED ADDRESS

BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

CREDITOR LISTING

BANK OF AMERICA, N.A.
P O BOX 982284
EL PASO, TX 79998-2284

CREDITOR LISTING

CHASE BANK USA, N.A.
C/O ROBERTSON, ANSCHUTZ & SCHNEID,
P.L.
6409 CONGRESS AVENUE, SUITE 100
BOCA RATON, FL 33487-2853

CREDITOR LISTING

CHASE CARD SERVICES
CORRESPONDENCE DEPT
PO BOX 15298
WILMINGTON, DE 19850-5298

CREDITOR LISTING

CLEAR RECON CORP.
4375 JUTLAND DRIVE
SAN DIEGO, CA 92117-3600

CREDITOR LISTING

COACHELLA VALLEY COLLECTION SERVICE
PO BOX 13621
PALM DESERT CA 92255-3621

CREDITOR LISTING

CONNEXUS CREDIT UNION
ATTN: BANKRUPTCY
PO BOX 8026
WAUSAU, WI 54402-8026

CREDITOR LISTING

CONTINENTAL CREDIT CONTROL
PO BOX 30348
SANTA BARBARA, CA 93130-0348

CREDITOR LISTING

CONTINENTAL CREDIT CONTROL, INC
22 N MILPAS ST, STE C
SANTA BARBARA, CA 93103-3300

CREDITOR LISTING

COSTCO GO ANYWHERE CITICARD
CITICORP CREDIT
SERVICES/CENTRALIZED BAN
PO BOX 790040
ST. LOUIS, MO 63179-0040

CREDITOR LISTING

DESERT ADVANCED IMAGING
PO BOX 101418
PASADENA, CA 91189-0025

CREDITOR LISTING

DESERT EAR NOSE & THROAT
39000 BOB HOPE DRIVE
SUITE 301
RANCHO MIRAGE, CA 92270-7036

CREDITOR LISTING

DISCOVER BANK
DISCOVER PRODUCTS INC.
PO BOX 3025
NEW ALBANY, OH 43054-3025
8 43054-3025

CREDITOR LISTING

DISCOVER FINANCIAL
PO BOX 3025
NEW ALBANY, OH 43054-3025

CREDITOR LISTING

EISENHOWER HEALTH
39000 BOB HOPE DRIVE
RANCHO MIRAGE 92270-3221

CREDITOR LISTING

GURALNICK, GILLILAND & KNIGHTEN
40004 COOK ST., SUITE 3
PALM DESERT, CA 92211-5802

CREDITOR LISTING

PNC BANK
P.O. BOX 1820
DAYTON, OH 45401-1820

RETURNED MAIL

CREDITOR LISTING

RIVERSIDE COUNTY TAX COLLECTOR
4080 LEMON ST. 4TH FLOOR
RIVERSIDE, CA 92501-3609

COURTESY NEF

RIVERSIDE DIVISION
3420 TWELFTH STREET,
RIVERSIDE, CA 92501-3819